

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of a Commission Investigation
into Qwest's Compliance with Section
271(c)(2)(B) of the Telecommunications Act
of 1996; Checklist items 3, 7, 8, 9, 10, and 12

PUC Docket No. P-421/CI-01-1370
OAH Docket No. 12-2500-14485-2

In the Matter of a Commission Investigation
into Qwest's Compliance with Section
271(c)(2)(B) of the Telecommunications Act
of 1996; Checklist items 1, 2, 4, 5, 6, 11, 13,
and 14

PUC Docket No. P-421/CI-01-1371
OAH Docket No. 7-2500-14486-2

In the Matter of a Qwest's Statement of
Generally Available Terms (SGAT) Pursuant
to Section 252(f) of the Telecommunications
Act of 1996

PUC Docket No. P-421/CI-01-1374
OAH Docket No. 12-2500-14489-2

SEVENTH PREHEARING ORDER

These matters came on for prehearing conference before Administrative Law Judges Steve M. Mihalchick and Richard C. Luis on December 14, 2001. The conference was conducted by telephone.

The following persons noted their appearances at the prehearing conference:

Robert Cattenach, for Qwest Corporation (Qwest).

Ginny Zeller and Peter Marker, Assistant Attorneys General, for the Department of Commerce (the Department).

Thomas Bailey and Mary Crowson, Assistant Attorneys General, for the Office of the Attorney General, Residential Utility and Small Business Division (OAG-RUD).

Lesley Lehr, for MCI WorldCom, Inc., (WorldCom).

Steve Weigler, for ATT.

Rebecca Liethen, for Time Warner.

Megan Dobernack, for Covad Communications Company.

Michael Bradley, for the CLEC Coalition.

Diane Wells, for the Public Utilities Commission (Commission).

MERGER OF THE SGAT DOCKET

1. The Department of Commerce moved for the consolidation of any remaining issues in the SGAT docket (docket 1374), OAH No. 12-2500-14489-2 into the OSS docket (docket 1371), OAH No. 7-2500-14486-2. No parties had any objection to the consolidation of the two dockets. The parties had significant discussions regarding the scheduling of matters in the OSS docket, particularly in light of information suggesting that the final report of the Regional Oversight Committee on OSS testing would not be available until late March, 2002.

2. The Department's motion to consolidate the SGAT docket into the OSS docket is GRANTED. The current prehearing deadlines in the schedule for the OSS docket remain unchanged. Current information suggests that the ROC OSS final report will not be available until March 21, 2002. Modification to the schedule can be accomplished as that date approaches. The hearing on the OSS docket will begin on Tuesday, April 16, 2002, starting at 9:00 a.m. and run through Friday, April 26, 2002. Post-hearing briefs will be due fourteen calendar days after the transcript is available. The ALJ Recommendation will be issued promptly after the record closes.

COMMERCE MOTION TO COMPEL

3. The Department of Commerce moved to compel responses to discovery served upon Qwest, and to modify the deadlines in the current schedule for the NonOSS docket (docket 1370), OAH No. 12-2500-14485-2 to accommodate the receipt of that information. At the hearing, the parties announced that they had reached agreement on the issues of the motion and proposed a modification to the schedule for the NonOSS docket. The parties came to essential agreement about the appropriate dates for the remaining items on the schedule.

4. The Department's motion to compel and to amend the scheduling order is GRANTED. Qwest will file complete responses to the information requests that are listed in the Department's motion and the Department's supplement by January 7, 2002. Testimony in the NonOSS docket must be filed by January 28, 2002. Qwest must file its reply by February 12, 2002. Surreplies must be filed by February 22, 2002. The hearing in the NonOSS docket will begin on March 4, 2002 and run through March 12, 2002. This agreed-upon schedule will likely affect the hearing schedule in the Public Interest docket (docket 1373), OAH No. 6-2500-14488-2. Briefs shall be filed no later than fourteen calendar days after the transcript is available. The ALJ Recommendation will be issued promptly after the record closes.

AGREEMENT TO TOLL TIME

5. The parties have agreed to toll the time for responses to information requests to accommodate the interruptions resulting from two calendar holidays. Time

for responding to information requests is tolled from December 22, 2001 through January 1, 2002.

6. A copy of the current schedule, updated to reflect the changes in the three dockets affected by this Order, is attached.

Dated: December 18, 2001

/s/ Steve M. Mihalchick
STEVE M. MIHALCHICK
RICHARD C. LUIS
Administrative Law Judges